

## Abstract

### **The transfer of ownership of cooperative apartments**

The thesis deals with the issue of the transfer of property of cooperative apartments which is a topic frequently approached due to a large number of members of the cooperatives who still haven't settled their legal claims against the housing cooperatives. The housing cooperatives will keep their importance even with the new civil code being applicable.

The purpose of the thesis is to analyze legal regulation concerning transfers of ownership of apartments from the housing cooperatives to their members, concentrating especially on the conditions, fulfilling of which establishes an obligation for the cooperative to conclude the contract with their members in order to transfer the ownership of cooperative units. The thesis also attempts to describe some changes brought into the legal system by the new civil code.

The thesis is composed of four chapters which are further divided into subchapters. Chapter One is dedicated to the definition of the essential concepts used in the thesis. Considering the transfer of ownership, it is necessary to denominate the parties of the relationship which are the housing cooperative on one side and the member the housing cooperative, and the subject to the property right or claim – cooperative apartment.

Chapter Two examines the roots and the cause of transferring ownership of the cooperative apartments. The cause can be found in historical evolution which led to changes in the interpretation of the role of the housing cooperatives and, afterwards, the return to the housing cooperative principles. Due to the cooperatives autonomy of the will transfers of ownership of the cooperative apartments that are not based on the contractual obligation issued of the transformation of cooperatives occur.

Chapter Three details the conditions which need to be fulfilled to give rise to the legal claim to the cooperative apartment of the member against the housing cooperative.

Chapter Four focuses on analysing the process consisting of several legal acts, leading to the accomplishment or the transfer of ownership of a cooperative apartment and its consequences (especially the termination of membership in the cooperative).